

MINUTES
INDIAN LAKE BOROUGH COUNCIL MEETING
OCTOBER 14, 2020

The regularly scheduled meeting of the Indian Lake Borough Council was held on October 14, 2020 at 6:00 P.M. at the Indian Lake Borough Building.

THOSE PRESENT:

Bob Hanson
Kim Yantus
Curt Morgese
Scott Hollern
Paul Balint
Shaun Nemeth
Michael Miscoe
Jerry Bellak, Chief of Police
Dean Snyder, Supervisor of Roads and Maintenance
Dave Wood, Zoning Officer
Michael Barbera, Solicitor (via Telebridge)

THOSE ABSENT:

Visitors - Dick Stern, Mike Marshall, Pete Buss, Joe Lazzaro

ORDER OF BUSINESS

1. Pledge of Allegiance
2. The meeting was called to order at 6:00 by Hanson.
3. Hanson called for approval of the September meeting minutes. Hollern moved to approve the minutes from September 9, 2020, Morgese seconded. All ayes, motion carried.
4. Financial Reports - Hollern moved to approve the Profit & Loss Budget Performance, Unpaid Bills, Summary of Account Balances and Previous Year Comparison reports as presented for the General, Water and Sewer funds, seconded. All ayes, motion carried. Hollern reported the proposed budget was discussed and the final budget will be presented at the November meeting. Advertisement will be authorized at the November meeting with enactment in December.
5. Welcome Visitors - Dick Stern, Mike Marshall, Pete Buss, Joe Lazzaro
6. Public Comment:
 - A. Pete Buss with Gibson-Thomas presented an update on the Water Treatment Plant project. Buss reported that DEP issued the construction permit in August, the Pennvest application was submitted and a loan offer should be issued at the October 21st Pennvest Board Meeting. Once the loan has been accepted, the bid package will be ready for December 1 and out for public bid January 1, bids will be opened in February and the loan will be closed once the bid as been awarded. Construction can be schedule after the loan is closed. Buss noted the Pennvest loan is flexible and it can be adjusted if bids come in higher than expected. Buss asked for the Engineering Agreement, Barbera confirmed he has it for signature. Puss also reported a survey will need conducted to finalize the land agreement with the Smith's

7. Dave Wood's Report of Building Permits Issued - See attached report. Wood reported that it was brought to his attention that two properties on South Peninsula were clear cut without tree cutting permits. Wood indicated he would like to discuss the issue with Barbera on issuing citation letters.
8. Roads and Maintenance - See attached report.
 - A. '05 GMC Manifold Repair - Snyder received a quote from Toe's Auto for \$3,600 plus any additional machine work that may be necessary. Yantus Diesel Performance also submitted a quote for \$2,786 for the requested work. Barbera confirmed according the ethics act and applicable case law, since Yantus Diesel Performance is directly related to a council member, the bid will need to be publicly advertised. Hollern moved to authorize Siehl to advertise the competitive bids for the work requested on the '05 GMC Manifold, Balint seconded.
 - B. Tires - Snyder reported he will be ordering eight tires this year to prepare the trucks for winter.
 - C. Generators - Snyder reported Mike Bowers is going to assess the generators on October 15th.
 - D. Iroquois Drainage - Snyder and Hanson explained the resident complaint of a drainage issue on Iroquois Lane, it appears that a majority of the water is coming from the neighbor's yard and there weren't any changes made by the Borough that would cause the issue. Snyder indicated to the property owner that there was nothing the Borough could do and they will be responsible for installing a catch basin and piping the water over the hill. Hanson will be the point of contact if the property owner disagrees
 - E. Internet at Pumphouse - Snyder reported that Roy Fritz is unable to get internet service to the breast of the dam with his service for the security cameras. Fritz recommended looking into a 'Municipal Unlimited' hot spot from Verizon. Hanson reported the cost of the hot spot is \$40/month and doesn't believe the project is worth the cost. Hanson would like to see if it can be done with digital storage.
 - F. Truck Purchase - Hollern reported that Snyder had requested a budget of \$80,000 to purchase a new truck. Snyder reported the '05 has started to require more maintenance but could be sold. He believes the cost would be closer to \$65,000 with the sale or trade in. Miscoe confirmed the original plan was to replace a truck every five years and this truck is 15 years old.
 - G. Antennae for radio systems - Hanson asked to table the issue for now with the new information received. Snyder indicated that the road crew does not use the radios and would even like to remove the Push To Talk service on the cell phones. Hanson reported Siehl provided the current costs of the radio project are already at \$3,200. Hanson moved for a more cohesive business case to be presented next month, Morgese seconded.
 - H. Shoshone - Nemeth reported the eco-bags at Shoshone Park have been removed by Mulch King Enterprises and the land will need cleaned up once it dries out. Mulch King Enterprises will be issuing a check to the Borough.

9. Legal Report

- A. Easement Status and Ongoing Strategy - Barbera reported the Miller trial was successful and favorable to the Borough. An appeal has been filed along with post-trial motions, Barbera filed a response. The judge has 120 days to rule on the post-trial motions, at that time we can enter judgements. Barbera anticipates the plaintiff will continue to appeal.
- B. Donald Mateer Property - Barbera reported the judge granted a motion of pleadings in the Borough's favor but has not levied any additional civil penalties. The judge ordered Mateer to remedy the ordinance violations within thirty days, if he fails to comply, the Borough can petition for contempt of court, Mateer would be able to appeal to delay the matter. Barbera asked the Siehl resend the building permit denial letter certified.
- C. Somerset REC Right-Of-Way Agreement - Barbera reported he will contact Cascio to see if there are plans for this year.
- D. Appeal of DEP Administrative Order - Barbera reported that DEP has everything the need and will review.
- E. Shanksville Borough Sewer System - There was nothing to report.

10. Correspondence - There was nothing to report.

11. Committee Reports:

A. Finance Report:

- i. Signatory Cards - Siehl asked for the council members that will be authorized to sign checks to get the new signatory cards prepared by Somerset Trust for signature at the next meeting. Hollern, Miscoe, Hanson, Siehl and Morgese will be the authorized signers.
- ii. Budget - This was discussed in the Financial Reports.
- iii. Tax Ordinance - Barbera confirmed that a resolution can be adopted by council after council has adopted the budget if there will be no change to the tax millage.

B. Police Report - See attached Report.

- i. AED - Bellak reported the AED's are now in each cruiser and are very user friendly. Bellak answered Balint's previous question concerning "Stop the Bleed" training, he confirmed the officers have had the training.
- ii. Budget - Miscoe reported he provided a draft budget and accounting for additional part time hours and increases in health insurance rates.
- iii. Federal Surplus - Miscoe reported the department obtained furniture for the office at very low cost.
- iv. Overdose - Hanson questioned the overdose that was reported on the police report, Bellak confirmed it was an accidental overdose on prescription medication by a resident.

C. Personnel Report:

- i. Vacancy - Yantus reported several residents expressed interest in the position, after reviewing each resident, it is recommended that Joe Lazzaro be appointed to the position. Yantus moved to accept Joe Lazzaro to fill the vacancy, Nemeth seconded. All ayes, motion carried. The vacancy will need to be filled by Resolution 2020-10-14 to expire the first Monday in January 2022. Lazzaro will need to run in the 2021 elections for reappointment in 2022. Barbera will notify Tina Pritts of the appointment and that the position will be a two-year term in the 2021 elections. Morgese thanked all of the applicants for their interest.
- ii. Elect VP - Hanson moved to elect Hollern as the vice president of council, Morgese seconded. All ayes, motion carried.

- iii. Salary Reviews - Hanson reported that Siehl had a salary review in 2017 and road crew in Spring 2019. Hanson would like to make sure this doesn't get missed in future years and would like to see it done around budget time yearly. Hanson, Yantus and Hollern will factor the amounts into the proposed budget.
 - D. Environmental Report - Morgese reported Bill Kirkpatrick would like to stock fish once the water temperature is around 55 degrees, closer to the end of October. Siehl will notify Kirkpatrick that Morgese should also be the point of contact in the future. Balint brought up the concerns of the lily/weed treatment effectiveness. It was confirmed that it was brought to Kirkpatrick's attention. Morgese explained the science that was relayed to him by Shimer, a majority of the problem was the unusually warm summer, leading to a consistent warm water temperature.
 - E. Water and Sewer Report:
 - i. Shanksville/EADS Meeting - Balint reported that Sean Isgan, CME, has been attempting to come to a resolution with Shanksville to no avail, Isgan knows the Stonycreek Township Supervisors well and will try to gain traction outside of normal avenues.
 - F. Planning/Zoning Report - Hollern reported Planning met on October 5 to review Section 308 of Ordinance 144 (Garages), specifically detached garages located on a lot separate from the property owners primary residence. Resident Ron Sieling was not in favor of residents being able to construct a garage in a location separate from their residence. Planning consensus was to remove it from the ordinance completely, Hanson suggested it being a conditional use provision instead of a prohibition. Sieling was concerned that would create spot zoning, Hanson and Hollern do not believe that it would be considered spot zoning. Hollern reported Sieling would like to notify council that the ATV park and mines are causing sediment in the holding pond and would be willing to contact DEP with the complaint.
 - i. Changes on Planning Commission - Hollern moved to appoint Pam Tadken to Planning Commission with a December 31, 2022 term expiration, Hanson seconded. All ayes, motion carried. Hollern reported Richard Williams, Sr. needs to be named as solicitor of the Zoning Hearing Board.
 - G. Parks & Recreation - Morgese and Hollern discussed dedicating a bench to Lynn Shimer at Shoshone or on the hiking trail. Hollern moved to dedicate a bench in Lynn Shimer's name for his service, Hanson seconded. All ayes motion carried.
 - H. Land Management - Hollern reported he is waiting on confirmation from the Smith's for the annual meeting but they are looking at the first week of November.
 - I. Storm Water Management - See 8.D above. There was nothing additional to report.
- 12. Old Business:
 - A. Comcast Renewal - There was nothing to report.
 - B. Video Conferencing Options - Hanson researched and purchased two new speaker phones for the conference room that will work with Join.me, ZOOM and Turbo-Bridge.
- 13. New Business:
 - A. Follow-File System/Follow-File Items - Siehl and Hanson will work on getting this system set up to ensure that items are not forgotten in future months.
 - B. UPMC Renewal - Siehl presented Council with the options that Knepper prepared and recommended. Balint moved to renew with the current health insurance plan at the new renewal rate of \$85,391.64, Hollern seconded. All ayes, motion carried. Hollern would like to see a committee formed in 2021 to evaluate the proposals presented.

C. Peninsula 218/219 Resolution - Siehl reported Musser Engineering submitted the Sewage Planning Module for Peninsula 218 and 219 and need the Resolution for Plan Revision for New Land Development adopted. Hollern moved to adopt Resolution 2020-10-14 (2) and authorize signatures, Hollern seconded. All ayes, motion carried.

14. With no addition business to discuss, Hollern moved to adjourn the meeting at 9:18, Morgese seconded. All ayes, motion carried.

The next regularly scheduled meeting of the Indian Lake Borough Council will be held on November 11, 2020 at 6:00 P.M. at the Indian Lake Borough Building or by teleconference.

Respectfully submitted,

Kirsten Siehl
Borough Secretary